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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/707,430	12/12/2003	Satoshi Shahana	SIC-03-043	1429

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DELAND LAW OFFICE  
P.O. BOX 69  
KLAMATH RIVER, CA 96050-0069

EXAMINER

JOHNSON, VICKY A

ART UNIT	PAPER NUMBER
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3682

DATE MAILED: 03/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/707,430	<b>Applicant(s)</b> SHAHANA ET AL	
	<b>Examiner</b> Vicky A. Johnson	<b>Art Unit</b> 3682	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |  |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____  |

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 3 and 5 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

3. In claims 3 and 5, it is unclear how the bicycle frame is part of the derailleur.

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1, 2, 4, and 6-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Juy (US 3,111,855).

Juy discloses a bicycle derailleur adapted to mount to a threaded shaft that fixes the derailleur to a bicycle frame (inherent), wherein the derailleur comprises: a base member (1) including an engagement member (1<sup>1</sup>) for nonrotatably engaging the bicycle frame; a threaded member (9) coupled to the base member for engaging the threaded shaft; a chain guide (18, 19); and a

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coupling mechanism (5,6,11,15) coupled between the base member and the chain guide so that the chain guide moves relative to the base member (see Figs 3 and 4).

Re claim 2, the threaded member (9) comprises a female threaded member.

Re claim 4, the engagement member comprises a projection that engages the bicycle frame (see Fig 1).

Re claim 6, the coupling mechanism comprises: a movable member that pivotably supports the chain guide; and a link mechanism adapted to be connected to a shift cable assembly so that the link mechanism moves in response to movement of the shift cable (see Fig 6).

Re claim 7, the shift cable assembly comprises an inner wire that slides within an outer casing, and wherein the link mechanism comprises: a first link member having a first end and a second end; a second link member having a first end and a second end; wherein the first end of the first link member is pivotably coupled to the base member; wherein the second end of the first link member is pivotably coupled to the movable member; wherein the first end of the second link member is pivotably coupled to the base member; wherein the second end of the second link member is pivotably coupled to the movable member; an inner wire mounting unit disposed one of the first and second link members for mounting the inner wire of the shift cable assembly; and a biasing

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member that biases the movable member relative to the base member (see Fig 6).

Re claim 8, the base member comprises: a first base member body (1) adapted to be mounted to the frame; a second base member body (3) rotatably supported by the first base member body; and wherein the second base member body is supported at first and second lateral locations, and wherein the first base member body supports at least one of the first and second lateral locations of the second base member body (see Fig 3).

Re claim 9, the first base member body supports the first and second lateral locations of the second base member body (see Fig 3).

Re claim 10, a rotation restricting mechanism (8) that restricts rotation of the second base member body relative to the first base member body.

Re claim 11, the rotation restricting mechanism comprises: a first rotation restricting component (8<sup>2</sup>); and a second rotation restricting component (1); wherein the first rotation restricting component engages the second rotation restricting component to restrict counterclockwise rotation of the second base member body relative to the first base member body (col. 3 lines 13-16).

Re claim 12, a biasing unit (10) that biases the second base member body clockwise relative to the first base member body.

Re claim 13, the threaded member comprises a female threaded nut member (9).

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Re claim 14, the base member includes a nut mounting member (7), and further comprising a rotation restricting mechanism (7<sup>3</sup>) that restricts rotation of the nut member relative to the nut mounting member.

Re claim 15, the rotation restricting mechanism comprises a projection (7<sup>3</sup>) disposed on one of the nut member and the nut mounting member and a concavity (unnumbered, see Fig 5) disposed on the other one of the nut member and the nut mounting member, wherein the projection engages the concavity (see Fig 5).

Re claim 16, the rotation restricting mechanism comprises: a first pair of abutments that restrict rotation of the nut member relative to the nut mounting member in one of a clockwise direction and a counterclockwise direction; and a second pair of abutments that restrict rotation of the nut member relative to the nut mounting member in the other one of the clockwise direction and the counterclockwise direction (see Fig 5).

Re claim 17, the rotation restricting mechanism comprises a projection disposed on one of the nut member and the nut mounting member and a concavity disposed on the other one of the nut member and the nut mounting member, wherein the projection engages the concavity (see Fig 5).

Re claim 18, the first pair of abutments and the second pair of abutments are formed by the projection and the concavity (see Fig 5).

Re claim 19, the first pair of abutments are formed in part by a first circumferential face of the projection, and wherein the second pair of abutments are formed in part by a second circumferential face of the projection opposite the first circumferential face of the projection (see Fig 19).

Re claim 20, the nut member is at least partially disposed in the nut mounting member (the threads of the nut are inside the threads of the nut mounting member (7)).

### ***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.


2004/0254038	Chamberlain et al	(derailleur)
4,690,663	Nagano	(derailleur)
5,498,211	Hsu	(derailleur)

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vicky A. Johnson whose telephone number is (571) 272-7106. The examiner can normally be reached on Monday-Friday (7:00a-3:30p).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Ridley can be reached on (571) 272-6217. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Vicky A. Johnson 3/17/04  
Primary Examiner  
Art Unit 3682